

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Margaret Ann Dykins
Debtor(s)

Bankruptcy Case No.: 14-10918-TPA
Per January 9, 2018 Proceeding
Chapter: 13
Docket No.: 77 - 72, 73, 74
Concil. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated December 21, 2017 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☒ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$1,181.00 as of January, 2018. Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on at , in .*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☐ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: .
- ☒ H. Additional Terms: The liquidation alternative requirement is zero.

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

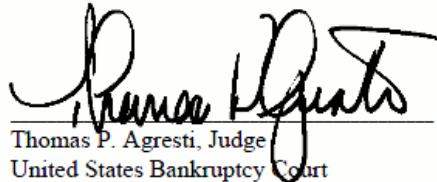
B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.



Thomas P. Agresti, Judge
United States Bankruptcy Court

Dated: January 10, 2018

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 5
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Margaret Ann Dykins
 Debtor

Case No. 14-10918-TPA
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-1

User: vson
 Form ID: 149

Page 1 of 2
 Total Noticed: 37

Date Rcvd: Jan 10, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 12, 2018.

db +Margaret Ann Dykins, 519 McCalmont Street, Franklin, PA 16323-2721
 cr +NATIONSTAR MORTGAGE LLC, Aldridge Pite LLP, 3575 Piedmont Road, N.E., Suite 500,
 Atlanta, GA 30305-1623
 13909710 ++AARON S INC, PO BOX 100039, KENNESAW GA 30156-9239
 (address filed with court: Aaron Sales & Lease Own, Attn: Bankruptcy, 2800 Canton Road,
 Marietta, GA 30066)
 13911724 ++AMERICREDIT FINANCIAL SERVICES DBA GM FINANCIAL, PO BOX 183853, ARLINGTON TX 76096-3853
 (address filed with court: AmeriCredit Financial Services, Inc., P O Box 183853,
 Arlington, TX 76096)
 13927995 +Aaron's SALO Lockbox, P.O. Box 102746, Atlanta, GA 30368-2746
 13909711 +Aes / Keystone Best, 1200 North 7th Street, 4th Floor, Harrisburg, PA 17102-1419
 13918086 +AmeriCredit Financial Services, Inc. dba GM Financ, P O Box 183853,
 Arlington, TX 76096-3853
 13909712 Aurora Loan Services, Attn: Bankruptcy Dept., P.O. Box 2929, Phoenix, AZ 85062-2929
 13909713 ++BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238
 (address filed with court: Bank Of America, Po Box 982235, El Paso, TX 79998)
 13909716 ++CITIBANK, PO BOX 790034, ST LOUIS MO 63179-0034
 (address filed with court: Citibank SD, NA, Attn: Centralized Bankruptcy, PO Box 20507,
 Kansas City, MO 64195)
 13909714 +Capital One, Po Box 30253, Salt Lake City, UT 84130-0253
 13909717 +Comenity Bank / Victoria Secret, Po Box 182789, Columbus, OH 43218-2789
 13909718 +Community Eye Care Specialists, 110 East Columbus Avenue, Corry, PA 16407-1340
 13979559 ECMC, PO Box 16408, St. Paul, MN 55116-0408
 13909719 +Federal Loan Service, PO Box 69184, Harrisburg, PA 17106-9184
 13909723 +Gm Financial, Po Box 181145, Arlington, TX 76096-1145
 13909724 +HSBC Bank, Attn: Bankruptcy, PO Box 5213, Carol Stream, IL 60197-5213
 13909725 +KML Law Group, PC, BNY Independence Center, 701 Market Street, Suite 5000,
 Philadelphia, PA 19106-1541
 13909728 ++NATIONSTAR MORTGAGE LLC, PO BOX 619096, DALLAS TX 75261-9096
 (address filed with court: Nationstar Mortgage LLC, Attn: Bankruptcy, 350 Highland Drive,
 Lewisville, TX 75067)
 13935425 +Nationstar Mortgage LCC, ATTN: Bankruptcy Department, PO BOX 630267,
 Irving, TX 75063-0116
 13921549 +PA SCU, PO Box 69110, Harrisburg, PA 17106-9110
 13928798 +PHEAA, PO BOX 8147, HARRISBURG PA 17105-8147
 13909729 +PHEAA / HCB, Aes / Ddb, Po Box 8183, Harrisburg, PA 17105-8183
 13909731 +Sears / Cbna, Po Box 6282, Sioux Falls, SD 57117-6282
 13909732 +US Department Of Education, 400 Maryland Avenue Southwest, Washington, D.C. 20202-0001
 13921550 +Venango County DRS, 1174 Elk Street, # 324, Franklin, PA 16323-1279
 13909733 +Verizon Pennsylvania, Attn: Bankruptcy, 3900 Washington Street, Floor 1,
 Wilmington, DE 19802-2126

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

13951769 E-mail/PDF: EBN_AIS@AMERICANINFOSOURCE.COM Jan 11 2018 02:16:05
 American InfoSource LP as agent for, Verizon, PO Box 248838,
 Oklahoma City, OK 73124-8838
 13909715 +E-mail/Text: matthartweg@cbjcredit.com Jan 11 2018 02:14:24 Cbj Credit Recovery,
 117 West 4th Street, Jamestown, NY 14701-5005
 13909720 +E-mail/Text: ally@ebn.phinsolutions.com Jan 11 2018 02:13:03 G M A C, PO Box 380901,
 Bloomington, MN 55438-0901
 13909721 E-mail/Text: lalusher@galaxyfcu.com Jan 11 2018 02:14:05 Galaxy Federal Credit Union,
 300 3rd Street, Franklin, PA 16323
 13909722 +E-mail/PDF: gecsed@recoverycorp.com Jan 11 2018 02:09:39 GE Capital Retail Bank / Old Navy,
 Attention: GEMB, PO Box 103104, Roswell, GA 30076-9104
 13979367 E-mail/PDF: resurgentbknofications@resurgent.com Jan 11 2018 02:15:53
 LVNV Funding, LLC its successors and assigns as, assignee of Citibank (South Dakota),,
 N.A., Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
 13909726 +E-mail/PDF: resurgentbknofications@resurgent.com Jan 11 2018 02:10:00 Lvnv Funding Llc,
 PO Box 10497, Greenville, SC 29603-0497
 13909727 +E-mail/Text: bankruptcydpt@mcmcg.com Jan 11 2018 02:13:44 Midland Funding LLC,
 8875 Aero Drive, Suite 200, San Diego, CA 92123-2255
 13909730 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jan 11 2018 02:15:54
 Portfolio Recovery Associates, Attn: Bankruptcy, PO Box 41067, Norfolk, VA 23541
 13927992 E-mail/Text: bnc-quantum@quantum3group.com Jan 11 2018 02:13:16
 Quantum3 Group LLC as agent for, Comenity Bank, PO Box 788, Kirkland, WA 98083-0788
 TOTAL: 10

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

13911725 Filed claim #2 imported confirmation to Tools

District/off: 0315-1

User: vson
Form ID: 149

Page 2 of 2
Total Noticed: 37

Date Rcvd: Jan 10, 2018

cr* +Americredit Financial Services, Inc. dba GM Financ, PO Box 183853, Arlington, TX 76096-3853
cr* ECMC, P.O. Box 16408, St. Paul, MN 55116-0408

TOTALS: 1, * 2, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jan 12, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 10, 2018 at the address(es) listed below:

Andrew F Gornall on behalf of Creditor NATIONSTAR MORTGAGE LLC agornall@goldbecklaw.com,
bkgroup@goldbecklaw.com/bkgroup@kmlawgroup.com
Daniel P. Foster on behalf of Debtor Margaret Ann Dykins dan@mrdebtbuster.com,
clarissa@mrdebtbuster.com/fosterlaw@ecf.inforuptcy.com;anne@ecf.inforuptcy.com
James Warmbrodt on behalf of Creditor NATIONSTAR MORTGAGE LLC bkgroup@kmlawgroup.com
Karina Velter on behalf of Creditor NATIONSTAR MORTGAGE LLC amps@manleydeas.com
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteedpa.com

TOTAL: 6